

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES DEAN WILKS,

Plaintiff,

v.

OFFICER S. PORTER, et al.,

Defendants.

)
) Case No. C05-2057-RSM-JPD
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)
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) ORDER DISMISSING § 1983
) COMPLAINT WITH PREJUDICE
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The Court, having reviewed the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) The defendants' motion for summary judgment (Dkt. No. 24) is GRANTED, and Plaintiff's complaint (Dkt. No. 6) is DISMISSED with prejudice.
- (3) The plaintiff's "Motion to Dismiss and Request for Waiver of the Filing Fee" (Dkt. No. 26) is DENIED.
- (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel of record, and to Judge Donohue.

DATED this 16th day of January, 2007.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE